

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re

MAYWOOD CAPITAL, INC.,

Debtor.

----- x  
HARRIETTE E. BEST,

Appellant,

-against-

JOHN S. PEREIRA,

Appellee.  
----- x

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08 Civ. 4542 (LAK)

(Adv. Proc. No.  
05-2577 (RDD))

(Chapter 11 Case  
No. 05-10987 (RDD))

**ORDER**

LEWIS A. KAPLAN, *District Judge*.

This appeal is dismissed on the ground that appellant has failed to file a brief notwithstanding that it was due on June 3, 2008. The fact that appellant's counsel moved, on June 3, 2008, the day her brief was due, for leave to withdraw does not excuse the default. In any case, this appeal is moot inasmuch as appellant here seeks review of Judge Drain's denial of a stay pending appeal of his order and judgment dated January 28, 2008, but the appeal from that order and judgment is being dismissed by order of even date (No. 08 Civ. 2961 (LAK)).

SO ORDERED.

Dated: July 30, 2008



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Lewis A. Kaplan  
United States District Judge